

## **REMARKS**

Claims 1 and 5-7 remain pending in the present application. The Examiner has withdrawn Claims 2-4. Claims 1, 5 and 6 have been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

### **REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH**

The Examiner has rejected Claims 6 and 7 under 35 U.S.C. §112, second paragraph, alleging them to indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The Examiner objects to a lack of antecedent basis in Claim 6. Applicant has amended Claim 6 in an attempt to overcome the Examiner's rejection. In light of the amendments, Applicant believes Claim 6 to overcome the Examiner's §112 rejection and respectfully request withdrawal of the same.

### **CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)**

The Examiner has rejected Claims 1 and 5-7 under 35 U.S.C. 103(a) alleging them to be unpatentable over Azima (U.S. Patent No. 6,694,038) in view of Bank (U.S. Patent No. 6,795,561). The Examiner alleges that the combination would render Applicant's claims obvious to those skilled in the art.

Claim 1 has been amended. Claim 1 further defines the piezo-electric vibration plate to be adhered to the piezo-electric member for converting the vibration to sound. The piezo-electric plate is divided into a plurality of plate members wherein the

thickness of the piezo-electric vibration plate members is changed in accordance with the distance from the vibration center of the piezo-electric member.

The art cited by the Examiner fails to disclose or suggest Applicant's claims. Azima, cited by the Examiner, fails to disclose or suggest a piezo-electric plate which is divided into a plurality of plate members. The Examiner alleges that the piezo-electric vibration plate is illustrated by numerals 1, 7, and 9. The panel 1 is formed with a core 7 and two skins 9. The core and skins are continuous with one another and neither disclose nor suggest a plurality of plate members. This is further illustrated in column 5, lines 13-14, where it indicates that the panel can be monolithic. In being monolithic, it would be a single element which in turn fails to disclose or suggest the piezo-electric plate being divided into a plurality of plate members. The combination of Bank likewise fails to overcome the deficiency of the Azima reference. Bank, like Azima, illustrates a one piece plate member. Thus, the combination of the two references would fail to disclose or suggest the plurality now claimed by Applicant. Accordingly, Applicant believes Claim 1 to be patentably distinct over the art cited by the Examiner.

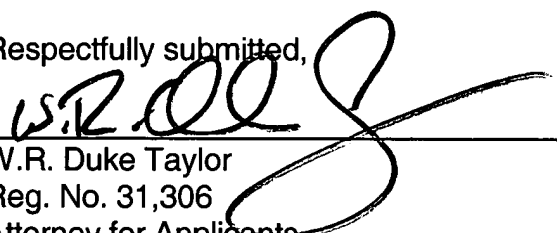
Claim 5, which depends from Claim 1, is likewise believed to patentably distinct over the Examiner's combination.

Independent Claim 6 discloses and claims a piezo-electric vibration plate adhered to the piezo-electric member to convert the vibration to sound. The piezo-electric vibration plate is divided into several arbitrary configurations and the thickness of each of the several arbitrary configurations of the piezo-electric vibration plates is different from each other.

As mentioned above, the Azima and Bank references both illustrate one piece piezo-electric plate members. Neither reference discloses nor suggests the several arbitrary configurations as claimed by Applicant. Accordingly, Applicant believes Claims 6 and 7 to be patentably distinguishable over the art cited by the Examiner.

In light of the above amendments and remarks, Applicant submits that all pending claims are in condition for allowance. Accordingly, Applicant respectfully requests the Examiner to pass the case to issue at her earliest possible convenience. Should the Examiner have any questions regarding the present application, she should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,

  
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